

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JCI METAL PRODUCTS,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
NAVY,

Defendant.

Case No. 09cv2139-IEG (AJB)

ORDER:

(1) GRANTING JOINT MOTION AND
APPROVING STIPULATION, and

(2) DENYING AS MOOT PLAINTIFF'S
APPLICATION FOR TEMPORARY
RESTRAINING ORDER

[Doc. Nos. 5, 6]

On September 30, 2009, Plaintiff JCI Metal Products ("JCI") filed this "Reverse FOIA" action seeking to prevent the U.S. Department of the Navy ("Navy") from releasing documents in response to a FOIA request from a third party. [Doc. No. 1]. On October 1, 2009, JCI filed an Application for a Temporary Restraining Order to prevent the Navy from releasing the documents in question. [Doc. No. 5]. Currently before the Court is the parties' Joint Motion for an order approving a stipulation the parties have reached. [Doc. No. 6]. The Navy has agreed, without admitting the merits of JCI's position, that it will not release the documents before this Court makes a final decision on the merits of JCI's case. Relying on that agreement, JCI has agreed to withdraw its Application for a Temporary Restraining Order.


Having reviewed the Joint Motion and GOOD CAUSE appearing, the Court hereby **APPROVES** the parties' stipulation and orders as follows: the Navy shall not disclose the documents relating to Contract N00244-02-D-0026, sought by the Freedom of Information Act Request it received

1 on or about February 18, 2009, until this Court issues a final ruling on the merits of this matter.

2 Accordingly, JCI's Application for a Temporary Restraining Order is **DENIED AS MOOT**.

3 **IT IS SO ORDERED.**

4
5 **DATED: October 7, 2009**


6 **IRMA E. GONZALEZ, Chief Judge**
7 **United States District Court**